

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE 92-20, KNOWN AS THE UNIFIED LAND DEVELOPMENT CODE OF PALM BEACH COUNTY, FLORIDA AS FOLLOWS: ARTICLE 3, RULES OF CONSTRUCTION AND DEFINITIONS, TO AMEND AND ADD DEFINITIONS; ARTICLE 6, ZONING DISTRICTS, TO REVISE AND ADD ZONING AND OVERLAY DISTRICTS, AND TO REVISE ZONING DISTRICT PURPOSES AND USES, USE REGULATIONS AND DEFINITIONS, PROPERTY DEVELOPMENT STANDARDS, AND SUPPLEMENTARY REGULATIONS; ARTICLE 7, SITE DEVELOPMENT STANDARDS, TO REVISE PARKING AND LANDSCAPING STANDARDS; PROVIDING FOR INTERPRETATION OF CAPTIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare, and safety of the existing and future residents by enacting and enforcing land development and administrative regulations necessary for the protection of the public; and

WHEREAS, Palm Beach County Ordinance 92-20 provided for the adoption of the Unified Land Development Code on June 16, 1992, pursuant to Section 163.3202, Florida Statutes to further growth management requirements; and

WHEREAS, Chapters 125 and 163, Florida Statutes, grant authority to the Board of County Commissioners to adopt and enforce land development regulations within the unincorporated area of Palm Beach County; and

WHEREAS, current information and increased population require re-evaluation and adoption of updated development standards; and

WHEREAS, the Board of County Commissioners has mandated that County staff conduct periodic reviews of the Unified Land Development Code to evaluate its various provisions and propose amendments to resolve new or outstanding issues and comply with the Comprehensive Plan, State Statutes and federal law; and

WHEREAS, the Board of County Commissioners has determined that it is in the best interest of public welfare to ensure developments are constructed and continuously operated in accordance with the Unified Land Development Code, conditions of approval and adequate public facilities; and

WHEREAS, the Board of County Commissioners has determined that new development patterns should be accommodated by the Unified Land Development Code to respond to market demand, encourage economic development, provide incentive for redevelopment, and to utilize vacant or under-utilized buildings while maintaining the integrity of the zoning district through reasonable restrictions and development regulations; and

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1 **WHEREAS**, the revised provisions regarding retail nursery, wholesale nurseries, stables,
2 and other agricultural uses, and other updated and new provisions further the goals and
3 policies of the Board of County Commissioners; and,

4 **WHEREAS**, the proposed amendments to the ULDC have been reviewed by the Citizens
5 Task Force and the Board of County Commissioners at public meetings and
6 recommendations of the Citizens Task Force were forwarded to the Board of County
7 Commissioners; and

8 **WHEREAS**, the Citizens Task Force, sitting as the Land Development Regulation
9 Commission, finds that this amendment to the Unified Land Development Code is consistent
10 with the Comprehensive Plan; and

11 **WHEREAS**, the Board of County Commissioners has directed changes subsequent to the
12 Citizen's Task Force review which are incorporated into the proposed amendments;

13 **WHEREAS**, the Board of County Commissioners determines the proposed amendments
14 will improve the procedures and standards of the Unified Land Development Code; and

15 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS**
16 **OF PALM BEACH COUNTY, FLORIDA, THAT:**

17 **PART 1** The Unified Land Development Code of Palm Beach County is amended as follows:

18 **SUBPART 1, Section 3.2, Definitions, is amended to add and delete language as**
19 **follows:**

20 **Arena, auditorium or stadium** means an open, or partially or fully enclosed facility primarily
21 used or intended for commercial spectator sports or entertainment. Typical uses include
22 convention and exhibition halls, sports arenas, jai alai frontons, amphitheaters and race tracks.
23 **Gaming, pari-mutual wagering, off-track betting, events or activities held or broadcast for**
24 **similar purposes shall be prohibited at an arena, auditorium or stadium in the Agricultural**
25 **Reserve Tier.**

26 **Equestrian area, commercial** means an establishment engaged in commercial spectator
27 activities involving horse racing or equestrian shows, but excluding any establishment
28 engaged in **gaming, pari-mutual wagering, off-track betting, events or activities held or**
29 **broadcast for similar purposes.**

30 **SUBPART 2, Section 6.2, District Purposes and Uses, is amended to add and delete**
31 **language as follows:**

32 **SEC. 6.2 DISTRICT PURPOSES AND USES.** The forty (40) districts established to
33 implement the Comprehensive Plan have the following purposes and permit the
34 following uses.
35 ...

36 A. **Conservation district.** ...
37 B. **Agricultural districts.** ...

38 1. **AGR, Agricultural Reserve District.** The Agricultural Reserve area is a portion of the
39 County that encompasses unique farmland, regional water management areas and

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wetlands. It is also an area that may become an urbanized area. It is designated as an area to be preserved primarily for agricultural and, west of SR 7, agricultural and regional water management use if possible, and if not, to be developed only at low residential density. Gaming, pari-mutual wagering, off-track betting, events or activities held or broadcast for similar purposes shall be prohibited. The AGR district corresponds to the Agricultural Reserve (AGR) future land use atlas designation of the future land use element of the comprehensive plan.

- a. **Right to Farm.** ...
- b. **PACE and TDR program.** ...
- c. **Exempted use areas.** ...
- d. **Nonconforming uses.** ...
- e. **Agricultural sales and service.** ...
- f. **AGRICULTURAL RESERVE (AGR) district:** ...

PERMITTED USES:

Agriculture, bona fide	Guest cottage
Auction, enclosed	Home occupation
Auction, outdoor	Kennel, private
Aviculture	Livestock raising
Community vegetable garden	Medical office or dental clinic
Estate kitchen	Nursery, retail
Excavation, <u>Type type</u> 1A	Nursery, wholesale
Farm residence	Park, passive
Farrier establishment	Shade house
Fruit and vegetable market	Single family residence
Garage sale	Stable, private <u>equestrian type one</u>
Green market	Storage, indoor agricultural
Groves/row crops	Storage, outdoor agricultural

SPECIAL USE:

Accessory dwelling	Farm worker quarters
Agricultural stand	Grooms quarters
Air curtain incinerator, temporary	Mobile home dwelling
Communication Cell Sites on Wheels <u>cell site on wheels</u> (COWs)	Retail sales, mobile or temporary
	Security/caretaker quarters

PERMITTED SUBJECT TO DRC SITE PLAN:

Agricultural food processing	Equestrian arena, commercial
Agricultural related manufacturing, light	Excavation, <u>Agricultural</u> <u>agricultural</u>
Agricultural research and development	Excavation, <u>Type type</u> 1B
Agricultural transshipment	Excavation, <u>Type type</u> II
Air curtain incinerator, permanent	Farmer's market
Assembly nonprofit, institutional	Government services
Bed and Breakfast	Gun range, private
Chipping and mulching	Kennel, commercial
Communication panels, antennas, commercial	<u>Landscape installation service</u>
Composting facility	Landscape maintenance service
Day care center, limited	Packing plant
	Potting soil manufacturer
	Stable, <u>commercial</u> <u>equestrian type two</u>
	Utility, minor

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1 Veterinary clinic

2 **CLASS B CONDITIONAL USE:**

3 Airplane landing strip
4 Day care center, general
5 Heliport or helipad

6 **CLASS A CONDITIONAL USE:**

7 Church or place of worship
8 Communication tower, commercial
9 Electrical power facility

Grooms quarters

Solid waste transfer station
Water or wastewater treatment

10 ...

11 **g. Community Commercial Service Overlay (CCSO). ...**

12 **COMMUNITY COMMERCIAL SERVICE OVERLAY (CCSO) district:**

13 **PERMITTED USES:**

14 Agriculture, bona fide
15 Agricultural sales and service
16 Auction, enclosed
17 Auction, outdoor
18 Aviculture
19 Building supplies
20 Community vegetable garden
21 Convenience store
22 Estate kitchen
23 Excavation, Type type 1A
24 Farm residence
25 Farrier establishment
26 Financial institution
27 Fitness center
28 Fruit and vegetable market
29 Garage sale
30 Green market
31 Groves/row crops
32 Guest cottage
33 Home occupation
34 Kennel, private
35 Laundry services
36 Livestock raising
37 Machine or welding shop
38 Medical or dental office or clinic
39 Nursery, retail
40 Nursery, wholesale
41 Office, business/professional
42 Park, passive
Personal services
Printing and copying services
Repair services, limited
Restaurant, quality
Restaurant, speciality
Retail sales, general
Shade house
Single family residence
Stable, private equestrian type one
Storage, indoor agricultural
Storage, outdoor agricultural

35 **SPECIAL USE:**

36 Accessory dwelling
37 Agricultural stand
38 Air curtain incinerator, temporary
39 Amusements, temporary or
special events
40 Communication Cell-Sites-on-Wheels cell
41 site on wheels (COWs)
42 Farm worker quarters
Grooms quarters
Mobile home dwelling
Recycling collection station
Recycling drop off bin
Retail sales, mobile or temporary
Security/caretaker quarters

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1	PERMITTED SUBJECT TO DRC SITE	Excavation, Agricultural <u>agricultural</u>
2	PLAN:	Excavation, Type <u>type</u> IB
3	Agricultural food processing	<u>Excavation, type II</u>
4	Agricultural related manufacturing, light	Farmer's market
5	Agricultural transshipment	Government services
6	Assembly nonprofit, institutional	Gun range, private
7	Assembly nonprofit, membership	Kennel, commercial
8	Bed and breakfast	Lounge, cocktail
9	Day care center, limited	Packing plant
10	Day labor employment service	Stable, commercial <u>equestrian</u> <u>type</u> two
11	Entertainment, indoor	Theater, indoor
12	Entertainment, outdoor	Utility, minor
13	Equestrian arena, commercial	Veterinary clinic
14	CONDITIONAL USE, CLASS B:	CONDITIONAL USE, CLASS A:
15	Airplane landing strip, accessory	Automotive service station
16	Church or place of worship	Communication Tower <u>tower</u> , commercial
17	Day care center, general	Convenience store with gas sales
		Electrical power facility
		<u>Grooms quarters</u>
		Solid waste transfer station
		Water/wastewater treatment plant

18

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h. AGR-PUD, Agricultural Reserve Planned Unit Development. ...

AGRICULTURAL RESERVE PLANNED UNIT DEVELOPMENT (AGR-PUD):

DEVELOPMENT AREA AGR-PUD:	PRESERVATION AREA AGR-PUD:
Accessory uses, e.g., clubhouse, equestrian facilities	Agricultural stand
Amusements, temporary or Special event	Agriculture, bona fide
Civic area, required for a PUD	Air curtain incinerator, temporary
Commercial area, allowed for a PUD	Aviculture
Golf course	Communication tower, commercial
Open space, required for a PUD	Equestrian activities, restricted, e.g., pasture and ancillary uses
Open space, allowed for a PUD	Excavation, agricultural
Park, passive	Excavation, <u>Type type II</u>
Recreational areas, permitted in a PUD	Fallow land
Residential dwelling units, single family, townhomes, and multiple family	Farm residence, one
Streets and parking areas	Fruit and vegetable market
Water retention areas	Garage sale
	Groves, row crops
	Home occupation
	Livestock raising
	Mobile home accessory to agriculture, one
	Nursery, retail
	Nursery, wholesale
	Park, passive
	Security/caretakers quarters, one
	Shadehouse, accessory
	Stable, <u>private equestrian type one</u>
	Stable, <u>commercial equestrian type two</u>
	Storage, indoor agricultural
	Uplands
	Water preserve areas
	Wetlands

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2. AP, Agricultural Production District.

PERMITTED USES:

Agriculture, bona fide	Home occupation
Aviculture	Livestock raising
Communication panels, antennas, commercial	Nursery, wholesale
Estate kitchen	Park, passive
Excavation, <u>Type type</u> IA	Shadehouse
Farm residence	Stable, <u>private equestrian</u> type one
Farrier establishment	Storage, indoor agricultural
Garage sale	Storage, outdoor agricultural
Groves/row crops	Sugar mill or refinery
Guest cottage	Veterinary clinic

SPECIAL USES:

Agricultural stand	Farm worker quarters
Accessory dwelling	Grooms quarters
Air curtain incinerator, temporary	Mobile home dwelling
<u>Bed and breakfast</u>	<u>Office, business or professional</u>
<u>Camping cabin</u>	Recycling drop off bin
<u>Communication Cell-Sites on Wheels cell site on wheels (COWs)</u>	<u>Restaurant, specialty</u>
	<u>Retail sales, general</u>
	Security or caretaker quarters
	<u>Stable, commercial equestrian type two</u>

PERMITTED SUBJECT TO DRC SITE

PLAN:

Agricultural related manufacturing, light
Agricultural research/development
Agricultural transshipment
Assembly, nonprofit institutional
Catering
Communication tower, commercial
Composting facility
Day care center, limited

Excavation, Agricultural agricultural
Excavation, Type type IB
Government services
Gun range, private
Packing plant
Potting soil manufacturing
Utility, minor

CONDITIONAL USE, CLASS A:

Air curtain incinerator, permanent
Electrical power facility
Excavation, Type type III
Grooms quarters

Mining; excavation Type Excavation, type IIIA
Mining; excavation Type Excavation, type IIIB
Solid waste transfer station
Water or wastewater treatment plant

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3. SA, Special Agricultural District.

PERMITTED USES:	Home occupation Kennel, private Livestock raising Nursery, wholesale Park, passive Shadehouse Stable, <u>private equestrian type one</u> Storage, indoor agricultural Storage, outdoor agricultural
Agriculture, bona fide	
Aviculture	
Estate kitchen	
Farm residence	
<u>Farrier</u>	
Fruit and vegetable market	
Garage sale	
Groves/row crops	
Guest cottage	
SPECIAL USES:	
Accessory dwelling	Farm worker quarters
Agricultural stand	<u>Grooms quarters</u>
Air curtain incinerator, temporary	Mobile home dwelling
Amusements, temporary or special events	Retail sales, mobile or temporary
<u>Communication Cell-Sites on Wheels cell site on wheels (COWs)</u>	Recycling drop off bin
	Security/caretaker quarters
PERMITTED SUBJECT TO DRC SITE PLAN:	
Agricultural research/development	Excavation, <u>Type type II</u>
Campground	Excavation, <u>Type type IB</u>
Communication panels, antennas, commercial	<u>Farmer's market</u>
<u>Equestrian arena, commercial</u>	Gun range, private
Excavation, agricultural	Nursery, retail
	Park, public
	Stable, commercial
	Utility, minor
CONDITIONAL USE, CLASS B:	
Cemetery	Government services
Composting facility	<u>Landscape installation service</u>
Day care center, limited	<u>Landscape maintenance service</u>
<u>Equestrian area, commercial</u>	Veterinary clinic
	Zoo
CONDITIONAL USE, CLASS A:	
Agricultural sales & service	<u>Landscape maintenance service</u>
Agricultural transshipment	Medical office or dental clinic
Air curtain incinerator, permanent	<u>Mining, excavation Type Excavation type IIIA</u>
Chipping and mulching	<u>Mining, excavation Type Excavation type IIIB</u>
Church or place of worship	Packing plant
Communication tower, commercial	Potting soil manufacturing
Electrical power facility	School, elementary or secondary
Excavation <u>Type type III</u>	Solid waste transfer station
<u>Grooms quarters</u>	Sugar mill or refinery
Gun club, enclosed	Water or wastewater treatment plant
Gun club, open	
Hospital or medical center	
Kennel, commercial	

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1

2 **4. RSER, Rural Services District. ...**

3 **PERMITTED USES:**

4 Agriculture, bona fide

5 Nursery, wholesale

6 Farrier

7 Park, passive

8 Fruit and vegetable market

9 Shadehouse

10 Nursery, retail

11 Stable, ~~private~~ equestrian type one

12 **SPECIAL USES:**

13 Agricultural stand

14 Farm worker quarters

15 Amusements, temporary or special event

16 Grooms quarters

17 Bed and Breakfast

18 Recycling collection station

19 Communication ~~Cell-Sites on Wheels~~ cell
20 site on wheels (COWs)

21 Recycling drop off bin

22 Security or caretaker quarters

23 **PERMITTED SUBJECT TO DRC SITE**

24 **PLAN:**

25 Agricultural research/development

26 Excavation, ~~Type~~ Type II

27 Communication panels, antennas,
28 commercial

29 Farmer's market

30 Contractor's storage yard

31 Gun club, enclosed

32 Equestrian arena, commercial

33 Park, public

34 Excavation, ~~Agricultural~~ agricultural

35 Stable, ~~commercial~~ equestrian type two

36 Utility, minor

37 **CONDITIONAL USE, CLASS B:**

38 Agricultural sales and service

39 Communication tower, commercial

40 Assembly, nonprofit institutional

41 Government services

42 Assembly, nonprofit membership

43 Landscape maintenance service

44 Building supplies

45 Repair services, limited

46 Church or place of worship

47 **CONDITIONAL USE, CLASS A:**

48 Auction, enclosed

49 Grooms quarters

50 Auction, outdoor

51 Landscape installation service

52 Entertainment, outdoor

53 Landscape maintenance service

54 Solid waste transfer station

55 ...

56 33 (**This space intentionally left blank.**)

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1 C. Rural residential districts.

2 1. AR-RURAL-R/EX, Agricultural Residential District in Rural and Exurban Tiers.

3 ...

4 **PERMITTED USES:**

5 Agriculture, bona fide

6 Aviculture

7 Congregate living facility, type 1

8 Estate kitchen

9 Excavation, Type type IA

10 Farrier

11 Garage sale

12 Groves/row crops

Guest cottage

Home occupation

Kennel, private

Livestock raising

Shadehouse

Single-family residence

Stable, ~~private~~ equestrian type one

Storage, indoor agricultural

Storage, outdoor, agricultural

13 **SPECIAL USES:**

14 Accessory dwelling

15 Agricultural stand

16 Air curtain incinerator, temporary

17 Amusements, temporary or special

18 events

19 Bed and breakfast

Communication ~~Cell-Sites on Wheels~~ cell
site on wheels (COWs)

~~Grooms quarters~~

Mobile home dwelling

Security or caretaker quarters

20 **PERMITTED SUBJECT TO DRC SITE**

21 **PLAN:**

22 Excavation, Agricultural agricultural

23 Excavation, Type type II

24 Excavation, Type type IB

Nursery, wholesale

Park, passive

Stable, commercial equestrian type two

Utility, minor

25 **CONDITIONAL USE, CLASS B:**

26 Airplane landing strip, accessory

27 Communication panels, antennas,
28 commercial

29 Equestrian arena, commercial

Nursery, retail

Packing plant

Park, public

Veterinary clinic

30 **CONDITIONAL USE, CLASS A:**

31 Assembly, nonprofit institutional

32 Cemetery

33 Church or place of worship

34 College or university

35 Communication tower, commercial

36 Congregate living facility, type 2

37 Day care center, limited

38 Day care center, general

39 Electrical power facility

40 Fruit and vegetable market

Grooms quarters

Government services

Gun range, private

Heliport or helipad

Landscape installation service

Landscape maintenance service

Nursery, retail

School, elementary or secondary

Solid waste transfer station

Water or wastewater treatment plant

Zoo

41 ...

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2. CRS, Country Residential District.

SPECIAL USES:

Accessory dwelling
Agricultural stand
Bed and breakfast
Communication
site on wheels (CO

Grooms-quarters
Mobile home dwelling
Security/caretaker quarters

PERMITTED SUBJECT TO DRC SITE

PLAN:

Excavation, Type type II
Excavation, Type type IB
Groves/row crops
~~Nursery, wholesale~~

Park, passive
Storage, indoor agricultural
Utility, minor

CONDITIONAL USE, CLASS B:

Communication panels, antennas,
commercial
Equestrian arena, commercial
Nursery, wholesale

Park, public
Stable, commercial equestrian type two
Storage, outdoor agricultural
Veterinary clinic

CONDITIONAL USE, CLASS A:

Agriculture, bona fide
Air curtain incinerator, temporary
Church or place of worship
College or university
Congregate living facility, type 2
Communication tower, commercial
Day care center, general
Day care center, limited
Electrical power facility

Golf course
Government services
Grooms quarters
Livestock raising
Nursery, retail
Packing plant
School, elementary or secondary
Solid waste transfer station
Water or wastewater treatment plant

•

D. Urban residential districts.

1. AR-U/S_T, Agricultural Residential District in the Urban/Suburban Tier. The purpose and intent of the AR district in the Urban/Suburban Tier is to provide the opportunity to utilize land for limited agricultural purposes, where appropriate. The intent is to prevent premature urbanization of certain areas, while protecting the lifestyle of residents until such time the agricultural uses convert to other uses consistent with the Comprehensive Plan.

PERMITTED USES:

Congregate living facility, type 1
Estate kitchen
Excavation, Type type IA
Farrier
Garage sale
Guest cottage

Home occupation
Kennel, private
Shadehouse
Single family residence
Stable, private equestrian type one
Storage, indoor agricultural
Storage, outdoor, agricultural

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1 **SPECIAL USES:**
2 Accessory dwelling
3 Agricultural stand
4 Air curtain incinerator, temporary
5 Amusements, temporary or special events
6 Bed & breakfast

Communication ~~Cell Sites on Wheels~~ cell
site on wheels (COWs)
~~Grooms quarters~~
Security/caretaker quarters

7 **PERMITTED SUBJECT TO DRC SITE**
8 **PLAN:**
9 Excavation, Agricultural ~~agricultural~~
10 Excavation, Type ~~type~~ II
11 Excavation, Type ~~type~~ IB
12 Groves/row crops

Livestock raising
~~Nursery, wholesale~~
Park, passive
Stable, commercial ~~equestrian~~ type two
Utility, minor

13 **CONDITIONAL USE, CLASS B:**
14 Communication panels, antennas,
15 commercial
16 Equestrian arena, commercial

Nursery, wholesale
Packing plant
Park, public
Veterinary clinic

17 **CONDITIONAL USE, CLASS A:**
18 Agriculture, bona fide
19 Cemetery
20 Church or place of worship
21 College or university
22 Communication tower, commercial
23 Congregate living facility, type 2
24 Day care center, general
25 Day care center, limited

Electrical power facility
Government services
Grooms quarters
Heliport or helipad
Nursery, retail
School, elementary or secondary
Solid waste transfer station
Water or wastewater treatment plant

26 ...

27 2. RE, Residential Estate District. ...

28 **SPECIAL USES:**
29 Accessory dwelling
30 Bed and breakfast
31 Communication ~~Cell Sites on Wheels~~ cell
32 site on wheels (COWs)

Grooms quarters
Security/caretaker quarters

33 ...

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1	CONDITIONAL USE, CLASS A:	<u>Grooms quarters</u>
2	Agriculture, bona fide	Heliport or helipad
3	Air curtain incinerator, temporary	Livestock raising
4	Cemetery	Nursery, retail
5	Church or place of worship	Packing plant
6	Communication tower, commercial	Park, public
7	Day care center, general	School, elementary or secondary
8	Day care center, limited	Solid waste transfer station
9	Electrical power facility	Stable, commercial
10	Golf course	Water or wastewater treatment plant
11	Government services	
12		...
13	3. RT, Residential Transitional District. ...	
14	SPECIAL USES:	<u>Communication Cell Sites on Wheels</u> <u>cell site on wheels</u> (COWs)
15	Accessory dwelling	<u>Grooms quarters</u>
16	Bed and breakfast	Security/caretaker quarters
17		...
18	CONDITIONAL USE, CLASS A:	<u>Grooms quarters</u>
19	Agriculture, bona fide	Heliport or helipad
20	Air curtain incinerator, temporary	Livestock raising
21	Cemetery	Nursery, retail
22	Church or place of worship	Packing plant
23	Communication tower, commercial	Park, public
24	Day care center, general	School, elementary or secondary
25	Day care center, limited	Solid waste transfer station
26	Electrical power facility	Stable, <u>commercial equestrian type two</u>
27	Golf course	Water or wastewater treatment plant
28	Government services	
29		...
30	4. RTS, Residential Transitional Suburban District. ...	
31	SPECIAL USES:	<u>Communication Cell Sites on Wheels</u> <u>cell site on wheels</u> (COWs)
32	Accessory dwelling	Security/caretaker quarters
33	Bed and Breakfast	
34		...
35	(This space intentionally left blank.)	

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5. RTU, Residential Transitional Urban District.

CONDITIONAL USE, CLASS B:	Storage, outdoor, agricultural Nursery, wholesale Stable, <u>private equestrian type one</u>
CONDITIONAL USE, CLASS A:	
Agriculture, bona fide	Livestock raising
Air curtain incinerator, temporary	Nursery, retail
Cemetery	Nursing or convalescent facility
Church or place of worship	Packing plant
Communication tower, commercial	Park, public
Day care center, general	School, elementary or secondary
Day care center, limited	Solid waste transfer station
Electrical power facility	Stable, <u>commercial equestrian type two</u>
<u>Equestrian arena, commercial</u>	Townhouse
Golf course	Water or wastewater treatment plant
Government services	Zero lot line home
Grooms quarters	...
Groves/row crops	
6. RS, Single-Family Residential District. ...	
CONDITIONAL USE, CLASS B:	Storage, outdoor, agricultural Nursery, wholesale Stable, <u>private equestrian type one</u>
CONDITIONAL USE, CLASS A:	
Agriculture, bona fide	Government services
Air curtain incinerator, temporary	Grooms quarters
Assembly, nonprofit institutional	Groves/row crops
Cemetery	Livestock raising
Church or place of worship	Nursery, retail
Communication tower, commercial	Nursing or convalescent facility
Congregate living facility, type 2	Packing plant
Congregate living facility, type 3	Park, public
Day care center, general	School, elementary or secondary
Day care center, limited	Solid waste transfer station
Electrical power facility	Stable, commercial
<u>Equestrian arena, commercial</u>	Townhouse
Golf course	Water or wastewater treatment plant

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1 **7. RM, Multi-Family Residential District. ...**

2 **CONDITIONAL USE, CLASS B:**

3 Congregate living facility, type 2
4 Day care center, limited
5 Equestrian arena, commercial
6 Fitness center

Nursery, wholesale
Park, public
Stable, private equestrian type one
Storage, outdoor, agricultural

7 **CONDITIONAL USE, CLASS A:**

8 Agriculture, bona fide
9 Air curtain incinerator, temporary
10 Assembly, nonprofit institutional
11 Cemetery
12 Church or place of worship
13 Communication tower, commercial
14 Congregate living facility, type 3
15 Day care center, general
16 Electrical power facility
17 Equestrian arena, commercial
18 Golf course
19 Government services

Grooms quarters
Groves/row crops
Heliport or helipad
Livestock raising
Nursery, retail
Nursing or convalescent facility
Packing plant
School, elementary or secondary
Solid waste transfer station
Stable, commercial
Water or wastewater plant

20 **8. RH, Multi-Family Residential (High Density) District. ...**

21 **CONDITIONAL USE, CLASS B:**

22 Congregate living facility, type 2
23 Day care center, limited
24 Equestrian arena, commercial
25 Fitness center

Nursery, wholesale
Park, public
Stable, private equestrian type one
Storage, outdoor, agricultural

26 **CONDITIONAL USE, CLASS A:**

27 Agriculture, bona fide
28 Air curtain incinerator, temporary
29 Assembly, nonprofit institutional
30 Cemetery
31 Church or place of worship
32 Communication tower, commercial
33 Congregate living facility, type 3
34 Day care center, general
35 Electrical power facility
36 Equestrian arena, commercial
37 Golf course
38 Government services

Grooms quarters
Groves/row crops
Hotel, motel, SRO, boarding & rooming
house
Livestock raising
Nursery, retail
Nursing or convalescent facility
Packing plant
School, elementary or secondary
Solid waste transfer station
Stable, commercial equestrian type two
Water or wastewater treatment plant

39 ...

40

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1 **E. Commercial districts. ...**

2 **1. CN, Neighborhood Commercial District. ...**

3 **PERMITTED USES:**

4 Air stripper, remedial

5 Catering service

6 Farmer's market

7 Farrier

8 Fruit & vegetable market

9 Nursery, retail

10 Nursery, wholesale

Office, business or professional

Personal services

Printing & copying services

Repair services, limited

Restaurant, specialty

Retail sales, general

Storage, indoor agricultural

Shadehouse

11 **CONDITIONAL USE, CLASS B:**

12 Building supplies

13 Congregate living facility, type 2

14 Day care center, limited

15 Fitness center

16 Grooms quarters

17 ... Laundry services

~~Nursery, wholesale~~

Park, public

Stable, commercial

~~Stable, private~~

Storage, outdoor, agricultural

18 **CONDITIONAL USE, CLASS A:**

19 Agriculture, bona fide

20 Air curtain incinerator, temporary

21 Assembly, nonprofit institutional

22 Church or place of worship

23 Communication tower, commercial

24 Congregate living facility, type 3

25 Convenience store

26 Day care center, general

27 Electrical power facility

28 Entertainment, indoor

29 Equestrian arena, commercial

30 Funeral home or crematory

31 Grooms quarters

32 Groves/row crops

33 Livestock, raising

34 Lounge, cocktail

35 Medical office or dental clinic

36 Nursing or convalescent facility

37 Packing plant

38 Recycling center

39 Solid waste transfer station

40 Theater, indoor

41 Veterinary clinic

42 Water or wastewater treatment plant

43 **2. CLO, Limited Office Commercial District. ...**

44 **PERMITTED USES:**

45 Air stripper, remedial

46 Catering service

47 Freestanding kiosk

48 Office, business or professional

49 Park, passive

50 Personal services

51 Printing and copying services

52 Repair services, limited

53 ...

54 (**This space intentionally left blank.**)

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1 **CONDITIONAL USE, CLASS B:**
2 Day care center, limited
3 Grooms quarters
4 Nursery, wholesale
5 Restaurant, quality
6 Stable, ~~commercial~~ equestrian type two

4 **CONDITIONAL USE, CLASS A:**
5 Agriculture, bona fide
6 Air curtain incinerator, temporary
7 Church or place of worship
8 Communication tower, commercial
9 Day care center, general
10 Electrical power facility
11 Equestrian arena, commercial
12 Grooms quarters
13 ...
14 **3. CC, Community Commercial District. ...**

15 **PERMITTED USES:**
16 Air stripper, remedial
17 Catering service
18 Farmer's market
19 Farrier
20 Freestanding kiosk
21 Fruit and vegetable market
22 Nursery, retail
23 Nursery, wholesale
24 Office, business or professional
25 Park, passive
26 Personal services
27 Printing and copying services
28 Repair services, limited
29 Restaurant, quality
30 Restaurant, specialty
 Retail sales, general
 Shadehouse
 Storage, indoor agricultural
 Veterinary, clinic

31 **SPECIAL USES:**
32 Agricultural stand
33 Amusements, temporary or special
34 events
35 Communication ~~Cell-Sites on Wheels~~ cell
36 site on wheels (COWS)
37 Retail sales, mobile or temporary
 Recycling collection station
 Recycling drop off bin
 Security or caretaker quarters

38 **PERMITTED SUBJECT TO DRC SITE**
39 **PLAN:**
40 Communication panels, antennas,
41 commercial
42 Day care center, limited
43 Excavation, ~~Type~~ type II
44 Fitness center
45 Government services
46 Grooms quarters
47 Laundry services
48 Park, public
49 Restaurant, high turnover sit down
50 Stable, ~~commercial~~ equestrian type two
51 Utility, minor

52 **(This space intentionally left blank.)**

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59 or ~~stricken~~ (if deleted).

1 **CONDITIONAL USE, CLASS B:**
2 Auction, enclosed
3 Assembly, nonprofit institutional
4 Assembly, nonprofit membership
5 Broadcasting studio
6 Communication tower, commercial
7 Equestrian arena, commercial
8 Financial institution

Landscape installation service
Landscape maintenance service
Medical office or dental clinic
Packing plant
Parking lot, commercial
Recycling center
Storage, outdoor, agricultural
Vocational school

9 **CONDITIONAL USE, CLASS A:**
10 Agricultural, bona fide
11 Air curtain incinerator, temporary
12 Automotive service station
13 Arena, auditorium or stadium
14 Car wash and auto detailing
15 Church or place of worship
16 College or university
17 Congregate living facility, type 3
18 Convenience store
19 Convenience store, with gas sales
20 Day care center, general
21 Electrical power facility
22 Entertainment, indoor
23 Entertainment, outdoor
24 Equestrian arena, commercial
25 Funeral home or crematory

Golf course
Grooms quarters
Groves/row crops
Hospital or medical center
Livestock raising
Lounge, cocktail
Nursing or convalescent facility
Repair and maintenance, general
Restaurant, fast food
Self-service storage
School, elementary or secondary
Solid waste transfer station
Theater, indoor
Vehicle inspection center
Vehicle sales and rental
Water or wastewater treatment plant

26 ...

27 **4. CHO, Commercial High Office District. ...**

28 **PERMITTED USES:**

29 Air stripper, remedial
30 Catering service
31 Data information processing
32 Fitness center
33 Freestanding kiosk
34 Laundry services
35 Office, business or professional

Nursery, wholesale
Park, passive
Personal services
Printing and copying services
Repair services, limited
Restaurant, specialty
Vocational school

36 **SPECIAL USES:**

37 Agricultural stand
38 Communication ~~Cell Sites on Wheels~~ cell
39 site on wheels (COWs)

Recycling collection station
Recycling drop off bin
Security/caretakers quarters

40 (**This space intentionally left blank.**)

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1	PERMITTED SUBJECT TO DRC SITE	Government services
2	PLAN:	Grooms quarters
3	Broadcasting studio	Heliport or helipad
4	Communication panels, antennas, commercial	Medical office or dental clinic
5	Day care center, limited	Motion picture production studio
6	Excavation, Type <u>Type</u> II	Stable, commercial <u>equestrian</u> type two
7		Utility, minor
8	CONDITIONAL USE, CLASS B:	Marine facility
9	Church or place of worship	Medical or dental laboratory
10	Communication tower, commercial	Packing plant
11	Day care center, general	Parking lot, commercial
12	Financial institution	Restaurant, quality
13	Hotel, motel, SRO, boarding & rooming house	Veterinary clinic
14		
15	CONDITIONAL USE, CLASS A:	Livestock, raising
16	Agriculture, bona fide	Lounge, cocktail
17	Air curtain incinerator, temporary	Restaurant, fast food
18	College or university	Restaurant, high turnover sit-down
19	Electrical power facility	School, elementary or secondary
20	Equestrian arena, commercial	Solid waste transfer station
21	<u>Grooms quarters</u>	Water or wastewater treatment plant
22	Hospital or medical center	
23		...
24	5. CG, Community Commercial District. ...	
25	PERMITTED USES:	Nursery, retail
26	Agricultural sales and service	Nursery, wholesale
27	Air stripper, remedial	Office, business or professional
28	Assembly, nonprofit institutional	Park, passive
29	Catering service	Personal services
30	Data information processing	Printing and copying services
31	<u>Farmer's market</u>	Repair services, limited
32	<u>Farrier</u>	Restaurant, quality
33	Fitness center	Restaurant, specialty
34	Freestanding kiosk	Retail sales, general
35	Fruit and vegetable market	Shadehouse
36	Laundry services	Storage, indoor agricultural
37	Lounge, cocktail	Veterinary, clinic
38	Medical or dental laboratory	Vocational school
39	Monument sales, retail	
40		...

41 (This space intentionally left blank.)

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1 PERMITTED SUBJECT TO DRC SITE
2

3 PLAN:
4

5 Auction, enclosed
6 Assembly, nonprofit membership
7 Broadcasting studio
8 Communication panels, antennas,
9 commercial
10 Day care center, limited
11 Excavation, Type type II
Government services
Grooms quarters

Heliport or helipad
Medical office or dental clinic
Motion picture production studio
Packing plant
Park, public
Parking lot, commercial
Recycling center
Restaurant, high turnover sit-down
Stable, ~~commercial~~ equestrian type two
Utility, minor

12 CONDITIONAL USE, CLASS B:
13

14 Agricultural storage, outdoor
15 Building supplies
16 Car wash and auto detailing
17 Cemetery
18 Church or place of worship
19 Communication tower, commercial
20 Congregate living facility, type 3
21 Convenience store
22 Day care center, general
23 Dispatching office
24 Entertainment, indoor
25 Equestrian arena, commercial
26 Financial institution
Flea market, enclosed

Golf course
Gun club, enclosed
Hotel, motel, SRO, boarding & rooming
house
Kennel, commercial
Landscape installation service
Landscape maintenance service
Marine facility
Nursing or convalescent facility
Storage, outdoor agricultural
Theater, indoor
Transportation facility
Vehicle inspection center
Zoo

27 CONDITIONAL USE, CLASS A:
28

29 Agriculture, bona fide
30 Air curtain incinerator, temporary
31 Auction, outdoor
32 Automotive paint and body shop
33 Automotive service station
34 Arena, auditorium or stadium
35 College or university
36 Convenience store, with gas sales
37 Dog day-care
38 Day labor employment service
39 Electrical power facility
40 Entertainment, outdoor
41 ~~Equestrian arena, commercial~~
42 Excavation Type type III
43 Flea market, open
44 Funeral home or crematory
Grooms quarters

Groves/row crops
Hospital or medical center
Livestock raising
~~Mining, excavation~~ Type Excavation, type
IIIA
~~Mining, excavation~~ Type Excavation, type
IIIB
Parking garage, commercial
Pawnshop
Repair and maintenance, general
Restaurant, fast food
School, elementary or secondary
Self-service storage
Solid waste transfer station
Theater, drive-in
Vehicle sales and rental
Water or wastewater treatment plant

45

...

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6. CRE, Commercial Recreation District. The purpose and intent of the CRE district is to provide lands for major commercial recreation uses that are either publicly or privately operated, that require large amounts of land that have major effects on adjacent uses. The CRE district corresponds to the Commercial Recreation land use designation in the Future Land Use Element of the Comprehensive Plan, and can be applied only to those areas designated Commercial Recreation (CR), or Industrial (IND) in the Future Land Use Element of the Comprehensive Plan. In some cases the CRE district may be applied in the Rural Residential 10 (RR10) land use designation for those uses identified in the Future Land Use Element of the Comprehensive Plan, or any zoning district corresponding to the underlying alternative density may be applied. Gaming, pari-mutual wagering, off-track betting, events or activities held or broadcast for similar purposes shall be prohibited in the CRE district in the Agricultural Reserve Tier. The following use are subject to the Supplementary use standards referenced below.

PERMITTED USES:

Air stripper, remedial
Catering service
Equestrian arena, co
Fitness center
~~Grooms-quarters~~
Gun club, enclosed
Nursery, wholesale

- Park, passive
- Parking lot, commercial
- Restaurant, quality
- Restaurant, specialty
- Shadehouse
- Stable, ~~commercial~~ equine
- Theater, drive-in

CONDITIONAL USE, CLASS A:

Agriculture, bona fide
Airport
Arena, auditorium or stadium
Electrical power facility
Excavation, Type Type III
Grooms quarters
Gun club, open

Livestock raising
~~Mining, excavation~~ Type Excavation, type
IIIA
~~Mining, excavation~~ Type Excavation, type
IIIB
Motion picture production studio
Water or wastewater treatment plant

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1 F. Industrial districts. ...
2 1. IL, Light Industrial District. ...

3 **PERMITTED USES:**

4 Agricultural related manufacturing, light
5 Agricultural research/development
6 Air stripper, remedial
7 Assembly, nonprofit institutional
8 Assembly, nonprofit membership
9 Data information processing
10 Dispatching office
11 Dog day-care
12 Fitness center
13 Freestanding kiosk
14 Government services
15 ~~Grooms quarters~~
16 Groves/row crops
17 Landscape installation service
18 Landscape maintenance service
19 Machine or welding shop
20 Manufacturing and processing
21 Marine facility
22 Medical or dental laboratory
23 Monument sales, retail
24 Motion picture production studio
25 Nursery, wholesale

26

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48

Office, business or professional
Park, passive
Parking garage, commercial
Parking lot, commercial
Printing and copying services
Recycling center
Repair and maintenance, general
Repair services, limited
Restaurant, quality
Shadehouse
Storage, indoor agricultural
Storage, outdoor, agricultural
Towing service and storage
Vehicle inspection center
Vocational school
Warehousing
Wholesaling, general
Automotive paint or body shop
Broadcasting studio
Catering service
Communication panels, antennas, commercial

...

27 **PERMITTED SUBJECT TO DRC SITE**
28 **PLAN:**

29 Agricultural transhipment
30 Building supplies
31 Car wash and auto detailing
32 Communication tower, commercial
33 Composting facility
34 Contractor's storage yard
35 Day care center, limited
36 Day labor employment service
37 Entertainment, indoor
38 Entertainment, outdoor
39 Excavation, Type type II
40 Farmer's market

Funeral home or crematory
Golf course
Gun club, enclosed
Heliport or helipad
Packing plant
Park, public
Restaurant, high turnover sit-down
Self-service storage
Stable, commercial
Theater, indoor
Transportation facility
Utility, minor
Water or wastewater treatment plant

41 **CONDITIONAL USE, CLASS B:**

42 Air curtain incinerator, temporary
43 Auction, outdoor
44 Automotive service station
45 Chipping and mulching
46 Convenience store, with gas sales
47 Day care center, general
48 Equestrian arena, commercial

Farmer's market
Flea market, open
Gas and fuel, wholesale
Kennel, commercial
Laboratory, industrial research
Nursery, retail
Potting soil manufacturing
Recycling plant

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1 **CONDITIONAL USE, CLASS A:**
2 Agriculture, bona fide
3 Air curtain incinerator, permanent
4 Electrical power facility
5 Excavation, Type type III
6 Groom's quarters
7 Heavy industry

Livestock raising
Mining, excavation Type type IIIA
Mining, excavation Type type IIIB
Restaurant, fast food
Solid waste transfer station
Truck stop
Vehicle sales and rental

8 **2. IG, General Industrial District. ...**

9 **PERMITTED USES:**

10 Agricultural related manufacturing, light
11 Agricultural research/development
12 Agricultural transhipment
13 Air stripper, remedial
14 Automotive paint or body shop
15 Building supplies
16 Catering service
17 Communication panels, antennas, commercial
18 Contractor's storage yard
19 Data information processing
20 Day labor employment service
21 Dispatching office
22 Freestanding kiosk
23 Government services
24 Grooms-quarters
25 Groves/row crops
26 Gun club, enclosed
27 Laboratory, industrial research

Landscape installation service
Landscape maintenance service
Machine or welding shop
Manufacturing and processing
Marine facility
Motion picture production studio
Nursery, wholesale
Office, business or professional
Park, passive
Recycling center
Repair and maintenance, general
Repair services, limited
Restaurant, quality
Shadehouse
Storage, indoor agricultural
Storage, outdoor agricultural
Towing service and storage
Vocational school
Warehousing
Wholesaling, general

30 **PERMITTED SUBJECT TO DRC SITE**

31 **PLAN:**

32 Automotive service station
33 Asphalt or concrete plant
34 Chipping and mulching
35 Communication tower, commercial
36 Composting facility
37 Convenience store, with gas sales
38 Day care center, limited
39 Excavation, Type type II
40 Farmer's market
41 Gas and fuel, wholesale

Heavy industry
Heliport or helipad
Packing plant
Park, public
Potting soil manufacturing
Recycling plant
Self-service storage
Stable, commercial equestrian type two
Transportation facility
Utility, minor
Water or wastewater treatment plant

43 **CONDITIONAL USE, CLASS B:**

44 Air curtain incinerator, temporary
45 Airplane landing strip, accessory
46 Day care center, general

Equestrian arena, commercial
Nursery, retail
Solid waste transfer station

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1

...

2

G. Public and Institutional Districts (IPF). ...

3

1. PO, Public Ownership District. ...

4

PERMITTED USE:

5

Air stripper, remedial

6

Assembly, nonprofit institutional

7

Campground

8

College or university

9

Communication panels, antennas,
commercial

10

Electrical power facility

11

Gas and fuel, wholesale

12

Government services

13

Heliport or helipad

14

Hospital or medical center

Park, passive

Park, public

Parking lot, commercial

Recycling center

School, elementary or secondary

Transportation facility

Vehicle inspection center

Water or wastewater treatment plant

Zoo

15

...

16

PERMITTED SUBJECT TO DRC SITE

17

PLAN:

18

Arena, auditorium or stadium

19

Chipping and mulching

20

Communication tower, commercial

21

Composting facility

22

Day care center, general

23

Day care center, limited

Equestrian arena, commercial

Excavation, Type type II

Gun club, enclosed

Marine facility

Potting soil manufacturing

Stable, equestrian type two

Utility minor

24

...

25

CONDITIONAL USE, CLASS A:

26

Air curtain incinerator, permanent

27

Airport

28

Excavation, Type type III

Groom's quarters

Mining, excavation Type type IIIA

Mining, excavation Type type IIIB

29

...

30

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31

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1 **2. IPF, Institutional and Public Facilities District.**

2 **PERMITTED SUBJECT TO DRC SITE**

3 **PLAN:**

4 Community Vegetable Garden
5 Day Camp
6 Day care center, limited
7 Equestrian arena, commercial
8 Excavation, type II
9 Government services

10 Heliport or helipad
11 Medical Office or Clinic
12 Medical or Dental Laboratory
13 Park, public
14 Type II excavation
15 Stable, equestrian type two
16 Utility, minor

17 **CONDITIONAL USE, CLASS A:**

18 Airport
19 Arena, auditorium or stadium
20 Cemetery
21 College or University
22 Communication tower, commercial
23 Congregate living facility, type 3
24 Electrical power facility
25 Groom's quarters

26 Hospital or medical center
27 Multi-family
28 School, elementary or secondary
29 Single-family
30 Solid waste transfer station
31 Townhouse
32 Vocational schools
33 Water or wastewater treatment plant
34 Zero lot line home

35 **(This space intentionally left blank.)**

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1 SUBPART 3, Section 6.4.C., Zoning Districts, Table 6.4-1, is amended to add and
 2 delete language as follows:

3 TABLE 6.4-1
 4 USE REGULATIONS SCHEDULE

5	Use Type	Zoning District/Overlay																				6			
		Agriculture/Conservation					Residential								Commercial						Indust/Public				
		P	A	G	R	A	S	R	AR	C	R	R	R	R	R	C	C	C	C	C	I	I	P	I	
		C	P	A	S	R	E	R	S	E	T	T	S	U	M	N	L	C	H	G	L	G	O	P	
			A	C	G	C	R	R	U	U	S	R	A	A	U/		O	O	G	R	I	G	O	P	
				R	S	S	O	R	S	R	E	S	R	E							F			NOTE	
Agricultural uses																									
7	Agricultural food processing	D	D																						2.1
8	Agricultural related manufacturing, light	D	D	D																					2.2
9	Agricultural research /development	D		D	D	D	D																		3
10	Agricultural sales and service	P		A	B																				4
11	Agricultural stand	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	4.1	
12	Agricultural transshipment	D	D	D	A																				5
13	Agriculture, bona fide	P	P	P	P	P	P	P	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	6	
14	Aviculture	P	P	P	P		P																		15.1
15	Community vegetable garden	P	P													D	D	D	D	D	D	D	D	D	22.3
16	Equestrian arena, commercial	D	D	B	D	D	B	B	B	B	B	B	B	B	B	A	A	A	A	A	B	B	D	34	
17	Farmer's Market	D	D	D	D																				37.1
18	Farrier establishment	P	P	P	P	P	P	P	P	P															37.2
19	Groves/row crops	P	P	P	P		P	D	D	B	B	B	B	B	B	A	A	A	A	A	A	A	P	47.1	
20	Kennel, commercial	D	D		A																				53
21	Kennel, private	P	P	P		P	D	D	B	B	A	A	A	A	A	A	A	A	A	A	A	A	A	54	
22	Livestock raising	P	P	P	P		P	D	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	56.1	
23	Nursery, retail	P	P	D	P	P	A	A	A	A	A	A	A	A	A	A	P	P	P	B	B	B	B	66	

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Use Type	Zoning District/Overlay																		NOTE	
	Agriculture/ Conservation					Residential								Commercial						
	P C	AGR A C G R S O	A P C G R S E R	S A S P A S E R	R S U R A U/ S R/ EX	AR R U S R A U/ S	C R E T S U	R T T S M	R R S M H	R R S M H	C N L O	C C C H O	C C C G R E	I L I G O P F	I I P I P F					
Agricultural uses																				
1	Nursery, wholesale	P	P	P	P	P	D	D	D	B	B	B	B	B	B	B	B	P	66.1	
2							B	B	A	A	A	A	A	A	A	A	A			
3	Packing plant	D	D	D	A		B	B	A	A	A	A	A	A	A	A	A	D	68.1	
4	Potting soil manufacturing	D		D	A														B	73
5																				
6	Shadehouse	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	87.1	
7																				
8	Stable, <u>commercial</u> equestrian type two	D	D	D	D	D	D	D	B	A	A	A	A	A	A	B	B	D	90	
9																				
10																				
11	Stable, <u>private</u> equestrian type one	P	P	P	P	P	P	P	P	B	B	B	B	B	B	B			91	
12																				
13																				
14	Storage, indoor agricultural	P	P	P	B		P	P	D	D	D	D	D	D	D	P	P	P	92	
15																				
16	Storage, outdoor agricultural	P	P	P	A		P	P	B	B	B	B	B	B	B	B	B	P	92	
17																				
18	Sugar mill or refinery			P	A													A	93	
19																				

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TABLE 6.4-1
USE REGULATIONS SCHEDULE

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TABLE 6.4-1
USE REGULATIONS SCHEDULE

Use Type	Zoning District/Overlay																				NOTE		
	Agriculture/ Conservation					Residential										Commercial							
	P C	AGR A C G R S O	A S P A C C R S O	S R E R U R A U L R E X	AR R S	C R E S	R T S	R T U	R R S	R M H	R R S	C N L O	C C C H O	C C G	C R E	I L G O	I P F						
Recreational uses																							
Amusements, temporary or Special events		S	S	S	S										S	S	S	S	S	S	10		
Arena, auditorium or stadium																A	A	A		D	A	11	
Campground	D		D															D		P		17	
Camping cabin			S																			17.1	
Entertainment, indoor		D														A	A	B	D	D		32	
Entertainment, outdoor		D	A													A	A	D	D			33	
Fitness center	P															B	D	P	P	P		39	
Golf course						A	A	A	A	A	A	A				A	B	D	D	B		45	
Gun club, enclosed		A	D														B	P	D	P	D		48
Gun club, open		A															A		B				48
Gun range, private	D	D	D	D	A																		49
Marine facility																	B	B	B	P	P	D	59
Park, passive	P	P	P	P	P	D	D	D	D	D	D	D	D	D	D	P	P	P	P	P	P	69	
Theater, Indoor		D														A	A	B	D	D		94.1	
Zoo			B	B	A												B	D		P		104	

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TABLE 6.4-1
USE REGULATIONS SCHEDULE

Use Type	Zoning District/Overlay																				NOTE	
	Agriculture/ Conservation					Residential										Commercial						
	P C	AGR A C R S O	A P C R S O	S A C R S O	R S E R U R A U S R/ E X	AR R U S A	C R E R T S U	R T T S U	R R S M	R R S M H	C N L O	C C C H O	C C G R E	C C R E	I L I G O P P F							
	Utilities																					
	Air curtain incinerator, permanent	D	A	A																	A A A	
	Air curtain incinerator, temporary	S	S	S	S		S	S	A	A	A	A	A	A	A	A	A	A	A	B	B B S B	
	Chipping and mulching	D	B	A																	B D D	
	Communication tower, commercial	A	A	A	D	A	B	A	A	A	A	A	A	A	A	A	A	A	B	B B B	D D D A	
	Communication panels, antennas, commercial	D	P	D	D	B	B	B	B	B	B	B	B	B	D	D	D	D	D	D D D	P P P B	
	Communication cell sites on wheels (COWS)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S S S S	S S S S	
	Composting facility	D	D	B																	D D D	22. 1
	Electrical power facility	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A A P	22. 2	
	Recycling center																				P P P	
	Recycling collection station	S		S													D	S	S	S	S S S S	
	Recycling drop off bin	S	S	S	S												S	S	S	S	S S S S	
	Recycling plant																B	D	B			
	Sanitary landfill or incinerator																				84	
	Solid waste transfer station	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	A B B A		
	Utility, minor	D	D	D	D		D	D	D	D	D	D	D	D	D	D	D	D	D	D D D D		
	Water or wastewater treatment plant	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	A	D D P A		

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USE REGULATIONS SCHEDULE

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TABLE 6.4-1
USE REGULATIONS SCHEDULE

3	Use Type	Zoning District												NOTE					
		Agriculture/ Conservation				Residential				Commercial									
P C	AGR P A C G S R S O	A S P A S E R	R U S R A U/ L E R/ E X	AR R E T S U	CR R E T S U	R T S M	R T S M	R H	C N	C L O	C C H O	C G R E	I L G O P I P F						
4 Public and civic uses																			
5	Airplane landing strip, accessory	B	B	B		B							B	B	B	9			
6	Airport												A	A	A	9			
7	Assembly, nonprofit institutional	D	D	D	B	A				A	A	A	A	B	P	P	B	12	
8	Assembly, nonprofit membership	D		B									B	D	P		B	12.1	
9	Cemetery			B		A	A	AA	AA	A	A	A		B			B	19	
10	Church or place of worship	A	B	B	A	B	A	AA	AA	A	A	A	A	A	B	B	B	21	
11	College or university					A	A	A					A	A	A		P	A	
12	Day camp													D			D	27.1	
13	Day care center, general	B	B			A	A	AA	AA	A	A	A	A	A	B	B	D	28	
14	Day care center, limited	D	D	D	B		A	A	AA	A	A	A	B	B	D	D	D	28	
15	Government services	D	D	D	B	B	A	A	AA	A	A	A	D	D	D	D	D	46	
16	Heliport or helipad	B	B			A	A	AA	A	A	A	A		D	D	D	D	9	
17	Hospital or medical center			A									A	A	A		P	A	52
18	Park, public	D		D	D	B	B	B	AA	A	A	A	B	B	D	D	P	70	
19	School, elementary or secondary			A		A	A	AA	AA	A	A	A		A	A	A	P	A	85
20	Transportation facility													B		D	D	P	95.1

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TABLE 6.4-1
USE REGULATIONS SCHEDULE

Use Type	Zoning District/Overlay																		NOTE
	Agriculture/ Conservation					Residential								Commercial					Indust/ Public
P C	AGR A C G R S O	A P C R S O	S P A U R E	R E S U A U S	AR R E T R T S U	C R E T R T S U	R R T T S M H	R R R R H	C N O L C H O	C C C C G R	C C C C G R	I I I P I P F							
Commercial uses																			
Adult entertainment																S	SS	2	
Air stripper remedial																P P P P P P	P P P P	8.1	
Auction, enclosed	P P	A														B D		13	
Auction, outdoor	P P	A														A	B	13	
Automotive paint or body shop																A	P P	14	
Automotive service station		A														A A	B D	15	
Bed and Breakfast	D D S	S	S S S S S S S S S S															16	
Broadcasting studio																B D D	P		
Building supplies	P	B														B B	D P		
Car wash and auto detailing		B														A B	D	18	
Catering Service		D														P P P P P P	P P	18.1	
Contractor's storage yard			D														D P	25	
Convenience store	P															A A B		26	
Convenience store with gas sales		A														A A	B D	27	
Day labor employment service		D														A	D P	29	
Dispatching office																B	P P	30	
Dog day-care																A	P	30.1	
Financial institution	P															D D B B B		38	
Flea market, enclosed																B		40	
Flea market, open																A	B	41	
Freestanding kiosk																			
Fruit and vegetable market	P P P P		A													P P P		42	
Funeral home or crematory																A A A	D	43	
Gas and fuel, wholesale																	B D P		
Green market	P P																	46.1	

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Use Type	Zoning District/Overlay																NOTE		
	Agriculture/ Conservation					Residential								Commercial			Indust/ Public		
P C	AGR A C G R S O	A P C C R S O	S A S E R	R U S A U/ L R/ E X	AR R U S A U/ L R/ E X	C R E S	R T T S U	R T T S U	R S M	R H	C N L O	C C H O	C G R E	I L G O P F	I I P I P F				
Commercial uses																			
1	Hotel, motel, SRO, Boarding & Rooming House													A		B B D		52	
2																			
3																			
4	Landscape installation service	D	B A	A										B	D	P P		55. 1	
5																			
6	Landscape maintenance service	D	A B A	A										B	B D	P P		55	
7																			
8	Laundry services	P												B D	D P P			56	
9	Lounge, cocktail	D												A A	A A P			57	
10	Medical office or dental clinic	P P	B A											A A	B D D	D	60		
11																			
12	Medical or dental laboratory														B P	P			
13																			
14	Monument sales, retail														P P	P P		68	
15																			
16	Office, business or professional	P S												P P P P P	P P				
17																			
18	Parking garage, commercial														A	P		71	
19																			
20	Parking lot, commercial													B B	D P	P P		71	
21																			
22	Personal services	P												P P P P P				72	
23															P P P P P	P			
24	Printing and copying services	P																	
25	Real estate sales model																	73.	
26																		1	
27	Repair and maintenance, general													A A	A A	P P		77	
28																			
29	Repair services, limited	P	B											P P P P P	P P			78	
30																			
31	Restaurant, high turnover sit-down													A D A D	D			79.	
32																		1	
33	Restaurant, fast food													A A A A	A			79	
34														D B P B	P P P			80	
35	Restaurant, quality	P												P D P P P	P P P P			81	
36														P P P P	P			82	
37	Restaurant, specialty	P S												S S S	S S S			83	
38															A A A A P	D D			87
39	Retail sales, general	P S																94	
40	Retail sales, mobile or temporary	S S S																	
	Self-service storage																		
	Theater, drive-in																		

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Use Type	Zoning District/Overlay																			NOTE
	Agriculture/ Conservation					Residential									Commercial					
	P C	AGR A G R S O	A C C R S O	S P R U R A U/ L R/ E X	R E S U A U/ L R/ E X	C R E T S U	R R T T S U	R R T T S M	R R T T S M H	C N L O	C C C H O	C C C G E	C C C R E	I L G O	I I P P F					
	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X	R U S A U/ L R/ E X				
	Commercial uses																			
	Towing service and storage																	P P		
	Vehicle inspection center															A B	P P			
	Vehicle sales and rental															A A	A		97	
	Veterinary clinic	D D	P B		B B B											A A P B P			98	
	Vocational school															B P P	P P A		99	
	Wholesaling, general																P P		102	

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TABLE 6.4-1
USE REGULATIONS SCHEDULE

Use Type	Zoning District/Overlay												NOTE								
	Agriculture/Conservation			Residential						Commercial			Indust/ Public								
P C	AG R	A C	S P	R G	S C	R R	R T	R T	R S	R M	R H	C N	C L	C C	C H	C G	C R	I L	I G	P O	P F
Industrial uses																					
Asphalt or concrete plant																			D		
Data Information Processing																		P	P		
Excavation, Type <u>type</u> III		A	A														A	A	A	A	35
Mining, Excavation, Type <u>type</u> IIIA		A	A														A	A	A	A	35
Mining, Excavation, Type <u>type</u> IIIB		A	A														A	A	A	A	35
Heavy industry																		A	D		
Laboratory, industrial research																	B	P			
Machine or welding shop	P																P	P		58	
Manufacturing and processing																	P	P			
Motion picture production studio																D	D	A	P	P	64
Salvage or junk yard																		A			
Truck stop																	A	A		95. 1	
Warehousing																	P	P		100	

...

SUBPART 4, Section 6.4.D., Zoning Districts, is amended to add and delete language as follows:

4. **Agricultural sales and service** means an establishment primarily engaged in the sale or rental of farm tools and small implements, livestock, feed and grain, tack, riding attire, animal care products, farm supplies, and the like. An agricultural sales and service use shall comply with the following supplementary use standards. ...

34. **Equestrian arena, commercial** means an establishment engaged in commercial spectator activities involving equestrian events, but excluding any establishment engaged in gaming, pari-mutual wagering, off-track betting, events or activities held or broadcast for similar purposes. An A commercial equestrian arena use shall comply with the following supplementary use standards:

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1 a. Urban/Suburban Tier.

2 (1) Location. The project in which an equestrian arena is located shall be located
3 on a collector or higher classification street.
4 (2) Operating Hours. Outdoor activity shall be limited to the hours of 6:00 a.m. and
5 10:00 p.m. daily.
6 (3) Loudspeakers. Loudspeakers shall not be used before 8:00 a.m. or after 8:00
7 p.m.
8 (4) Minimum lot size. In the Urban Service Area /Suburban Tier, the minimum lot
9 size shall be five (5) acres. (6.4.D.34.g.(1))

10 b. Rural, Exurban, Agricultural Reserve and Glades Tiers.

11 (1) Location. The project in which an equestrian arena is located shall, at the
12 minimum, be located on a collector paved street. (6.4.D.34.a.)
13 (2) Operating Hours. Outdoor activity at the rings shall be limited to the hours of
14 not occur prior to 7:00 5:00 a.m. nor continue later than and 12:00 midnight 10:00
15 p.m. (6.4.D.34.c)
16 (3) Loudspeakers. Loudspeakers shall not be used before 8:00 a.m. or after
17 11:00 8:00 p.m. (6.4.D.34.e)

18 c. Setbacks. Riding, spectator viewing areas, and show rings shall not be located
19 within one hundred (100) feet of any property line.
20 d. Lighting. All lighting must be confined to the arena and shall not spill over to
21 neighboring property.
22 e. Loudspeaker.
23 f. SA district. In the SA district an equestrian arena shall have a one hundred (100)
24 foot buffer from residentially occupied or zoned property in addition to the required
25 minimum setbacks.
26 g. Urban Service Area.

27 (1)
28 (2) Compatibility. The use shall assure that there is no incompatibility with
29 surrounding land uses. In the event that When an incompatibility exists, the
30 petitioner shall satisfactorily mitigate the incompatibility prior to receiving
31 conditional or DRC approval. The Board of County Commissioners and
32 Zoning Commission may impose conditions to the of approval. The DRC may
33 impose conditions of approval pursuant to Sec. 5.6.D.5 of this Code, including
34 but not limited to: controlling objectionable odors; fencing; sound limitations;
35 inspections; reporting or monitoring; preservation areas; mitigation; and/or limits
36 of operation. (6.4.D.34.g(2))
37 (3) Preservation. The use shall conform with all preservation, and vegetation
38 removal requirements of the Palm Beach County ULDC for the underlying
39 permitted use, and shall conform with the provisions of Sec. 9.5 (Vegetation
40 Protection), and Sec. 9.4 (Wetlands Protection) of this Code. A minimum
41 setback (buffer) of one hundred (100) feet shall surround all designated wetland
42 areas.
43 ...

44 55. Landscape maintenance service means an establishment engaged in the provision
45 of landscape installation or maintenance services, such as lawnmowing, tree, shrub or
46 hedge trimming, and leaf blowing, but excluding retail or wholesale sale of plants or
47 lawn and garden supplies from the premises. A landscape maintenance service use
48 shall comply with the following supplementary use standards.
49 a. AR district.

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(1) **Location.** In the AR district, a landscape maintenance service as a principal use shall be located on a collector or street of higher classification street.

(2) **Minimum lot size.** The minimum lot size shall be three (3) acres.

b. **Landscape and Buffering.**

(1) An incompatibility buffer as required by Sec. 7.3, (Landscape and Buffering), may be omitted waived if the use is adjacent to farm worker quarters or mobile home accessory to agriculture.

c. **Storage.** Accumulation of debris shall be prohibited.

d. **Office warehouse.** A landscape maintenance service shall be a permitted use if there is no outdoor storage.

e. **CCSO and AGR districts.** Landscape maintenance services shall be permitted only in conjunction with a nursery.

f. **Accessory use.** The use A landscape maintenance service may be an accessory use to a retail or wholesale nursery or landscape installation service subject to DRC approval. In the Urban Service Area , the accessory use shall be on a minimum of five (5)-three (3) acres.

...
5.1 **Landscape installation service** means an establishment engaged in the provision of landscape installation services, such as landscape design, plant selection and tree installation. A landscape installation service use shall comply with the following supplementary use standards.

a. **Accessory use.** A landscape installation service may be an accessory use to a retail or wholesale nursery or landscape maintenance service on a minimum of three (3) acres.

b. **AR district.** In the AR district, a landscape installation service as a principal use shall be located on a collector or higher classification street.

...
6. **Nursery, retail** means the cultivation for wholesale or retail sale of horticultural specialties such as flowers, shrubs, sod, and trees intended for ornamental or landscaping purposes for retail sale. A retail nursery in the Urban Services Area shall comply with the following supplementary use standards:

a. **Location.** The use A retail nursery shall be located on a collector or higher classification street of.

b. **Minimum lot size.** In a residential zoning district, The the minimum lot size shall be one (1) acre.

c. **Sod.** Retail sale of sod shall be limited to retail nurseries in commercial or industrial zoning districts only.

d. **Hours of operation.** Operation of commercial vehicles over one (1) ton rated capacity or gross vehicle weight of ten thousand (10,000) pounds, including load, from 5:00 p.m. to 8:00 a.m. is prohibited.

e. **Setbacks.** Setbacks shall be as follows:

(1) All structures, and accessory activities and outdoor storage areas shall be setback a minimum of fifty (50) feet, except for shadehouses which shall comply with the setbacks enumerated in Sec. 6.4.D.87.1.b., (Shadehouse).

(2) Container plants shall be setback a minimum of fifteen (15) feet.

f. **Loading.** All loading and unloading of trucks shall be restricted to the site and shall not encroach on any setbacks.

g. **Office.** An office may be permitted as an accessory use, provided it is not a mobile home.

h. **Compatibility.** The use shall assure that there is no incompatibility with surrounding land uses. In the event that When an incompatibility exists, the petitioner shall

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1 satisfactorily mitigate the incompatibility prior to receiving conditional or DRC
2 approval. The Board of County Commissioners and Zoning Commission may
3 impose conditions to the approval to address compatibility. The DRC may impose
4 conditions of approval pursuant to Sec. 5.6.D.5. including but not limited to:
5 controlling objectionable odors; fencing; sound limitations; inspections; reporting
6 or monitoring; preservation areas; mitigation; and/or limits of operation.

7 g. **Preservation.** The use shall conform with all preservation, and vegetation removal
8 requirements of the Palm Beach County ULDC for the underlying permitted use;
9 and shall conform with the provisions of Sec. 9.5 (Vegetation Protection), and Sec.
10 9.4 (Wetlands Protection) of this Code. A minimum setback (buffer) of one hundred
11 (100) feet shall surround all designated wetland areas.

12 h. **Spraying.** No aerial application of any pesticides, fungicides, fertilizers or any
13 other chemical shall be allowed. ~~In the event that overspraying of pesticides,~~
14 ~~fungicides, fertilizers, herbicides or any other chemical is experienced, the~~
15 ~~petitioner shall provide an increased buffer to insure that no further overspraying will~~
16 ~~occur, or will cease to operate.~~

17 i. **Notification.** Notification of the existence of the agricultural operation shall be
18 submitted to the South Florida Water Management District.

19 j. **Buffering.** A buffer shall be provided along all property lines that are not screened
20 by plant material.

21 (1) **Incompatibility Buffer.** A Type 3 incompatibility buffer as defined in Sec.
22 7.3.F.4 shall be required adjacent to all retail, office, parking, loading and other
23 non-growing areas within fifty (50) feet of a property line. The buffer requirements
24 may be satisfied by plant material for sale provided that the plant material is
25 grown in the ground, ten (10) feet on center, six (6) feet high and the growing area
26 is at least twenty (20) feet wide. The width of the Type 3 incompatibility buffer
27 may be reduced to ten (10) feet if the buffer contains permanent landscaping only
28 and not for-sale plant inventory.

29 (2) **Compatibility Buffer.** A compatibility buffer as defined in Sec. 7.3.F.3 shall be
30 provided around all growing areas less than fifty (50) feet in width. The buffer
31 requirements may be satisfied by plant material for sale provided that the plant
32 material is grown in the ground, ten (10) feet on center, six (6) feet high and the
33 growing area is a minimum of five (5) feet wide.

34 (3) **Right-of-Way Buffer.** A right-of-way buffer as defined in Sec. 7.3.F. shall be
35 required adjacent to all office, parking, loading, internal roads and other non-
36 growing areas within fifty (50) feet of a right-of-way. A right-of-way buffer as
37 defined in Sec. 7.3.F. shall be required adjacent to all growing areas unless the
38 growing area is at least fifty (50) feet in width, and contains plant materials
39 providing a six (6) foot high visual buffer equivalent in opacity to a right-of-way
40 buffer as defined in Sec. 7.3.F. Existing native vegetation within the right-of-way
41 buffer shall be preserved.

42 (4) **Barbed Wire.** The use of barbed wire shall be prohibited.

43 k. **Outdoor bulk storage.** Outdoor bulk storage of mulch, rock, soil or similar
44 material shall comply with the outdoor storage standards contained in Sec. 6.6.A.3.
45 Outdoor bulk storage in residential zoning districts shall be setback a minimum of
46 fifty (50) feet or the district setback, whichever is greater.

47 l. **DRC.** Relocation of structures on the DRC certified site plan or ZC or BCC
48 reviewed site plan due to SFWMD or ERM requirements may exceed the threshold
49 limitations contained in Sec. 5.6.D.10.a.

50 ...

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66.1 **Nursery, wholesale** means the cultivation for wholesale sale of horticultural specialties such as flowers, shrubs, sod, and trees, intended for ornamental or landscaping purposes for wholesale sale. A wholesale greenhouse or nursery use shall comply with the following supplementary use standards:

- a. **Limitations of sales.** Sales from a wholesale greenhouse or nursery use are limited to exporters, distributors, landscape contractors, retailers, or other businesses.
- b. **Approval Process.** The approval process shall be as follows:
 - (1) **Residential Zoning Districts in the Urban/Suburban Tier.**
 - (a) **Special Permit.** Five (5) acres or less.
 - (b) **DRC.** More than five (5) but less than twenty (20) acres.
 - (c) **Class B Conditional Use or Requested Use.** Twenty (20) or more acres.
 - (2) **AR-Rural/Exurban (AR-R/EX) and CRS districts.**
 - (a) **Permitted.** Ten (10) acres or less.
 - (b) **Special Permit.** More than ten (10) but less than forty (40) acres.
 - (c) **DRC.** Forty (40) or more acres.
 - (3) **All Other Zoning Districts.** Permitted.
- c. **Conditions Hours of operation.** Operation of heavy machinery commercial vehicles over one (1) ton rated capacity or gross vehicle weight of ten thousand (10,000) pounds, including load, from 5:00 PM 7:00 p.m. to 8:00 AM 6:00 a.m. at a wholesale greenhouse or nursery use is prohibited.
- d. **Parking and loading.** All parking and loading associated with any nursery related use shall occur on site nursery acreage, and not on access easements, or public or private R-O-Ws or through streets.
- e. **AR district.** In the AR district, a wholesale greenhouse or nursery use may be operated in conjunction with a residence. A wholesale greenhouse or nursery greater than ten (10) acres shall be required to receive a conditional use B approval.
- f. **Vegetation removal permit.** A wholesale nursery or greenhouse shall be required to submit a vegetation removal permit.
- g. **Buffering requirements.** A buffer shall be provided along all property lines that are not screened by plant material.
 - (1) **Incompatibility Buffer.** A Wholesale greenhouse or nursery over ten (10) acres adjacent to residential property shall be required to construct a Type 3 compatibility incompatibility buffer strip as defined in Sec. 7.3.F.4 subject to Sec. 7.3 of the Landscape code shall be required around the adjacent to all office, parking, loading, internal roads and other non-growing areas within twenty (20) fifty (50) feet from of a property line. The compatibility buffer requirements may be met satisfied by plant material for sale provided that the plant material is grown in the ground, ten (10) feet on center, six (6) feet high and the growing area is at least twenty (20) feet wide. The width of the Type 3 incompatibility buffer may be reduced to ten (10) feet if the buffer contains permanent landscaping only and not for-sale plant inventory.
 - (2) **Compatibility Buffer.** A perimeter compatibility buffer as defined in Sec. 7.3.F.3 shall be provided around all growing areas less than fifty (50) feet in width. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten (10) feet on center, six (6) feet high and the growing area is at least five (5) feet wide.
 - (3) **Right-of-Way Buffer.** A right-of-way buffer as defined in Sec. 7.3.F. shall be required adjacent to all office, parking, loading, internal roads and other non-growing areas within fifty (50) feet of a right-of-way. A right-of-way buffer as

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1 defined in Sec. 7.3.F. shall be required adjacent to all growing areas unless the
2 growing area is at least fifty (50) feet in width, and contains plant materials
3 providing a six (6) foot high visual buffer equivalent in opacity to a right-of-way
4 buffer as defined in Sec. 7.3.F. Existing native vegetation within the right-of-
5 way buffer shall be preserved.

6 (4) **Barbed Wire.** The use of barbed wire shall be prohibited.

7 ~~h. Water use permit.~~ A wholesale greenhouse or nursery greater than 10 acres shall
8 be required to receive a water use permit from the SFWMD.

9 g. **Office.** An office may be permitted as an accessory use, provided it is not a
10 mobile home. (Relocated from 6.4.D.66.g.)

11 g:h. **Urban Service Area Urban/Suburban Tier.** In addition to the above standards,
12 a wholesale nursery ~~in the Urban/Suburban Tier~~ shall comply with the following
13 standards.

14 (1) **Minimum lot size.** The minimum lot size shall be one (1) acre.

15 (2) **Setbacks.** Setbacks shall be as follows:

16 (a) ~~All structures and accessory activities, greenhouses and outdoor storage~~
17 ~~areas~~ shall be setback a minimum of fifty (50) feet, except for shadehouses
18 which shall comply with the setbacks enumerated in Sec.
19 6.4.D.87.1.b.1.(Shadehouse).

20 (b) Container plants shall be setback a minimum of fifteen (15) feet.

21 (3) **Buffering.** A buffer shall be provided along all property lines that are not
22 screened by plant material.

23 (4) **Equipment.** Use of heavy equipment shall be limited to daylight hours.

24 (5) **Loading.** All loading and unloading of trucks shall be restricted to the site and
25 shall not encroach on any setbacks.

26 (6) **Office.** An office may be permitted as an accessory use, provided it is not a
27 mobile home.

28 (74) **Compatibility.** The use shall assure that there is no incompatibility with
29 surrounding land uses. ~~In the event that~~ When an incompatibility exists, the
30 petitioner shall satisfactorily mitigate the incompatibility prior to receiving
31 conditional or DRC approval. The Board of County Commissioners BCC and ZC
32 may impose conditions to the approval to address compatibility. The DRC may
33 impose conditions of approval pursuant to Sec. 5.6.D.5. The Zoning Director
34 may impose conditions of approval pursuant to Sec. 4.20. including but not
35 limited to: controlling objectionable odors; fencing; sound limitations; inspections;
36 reporting or monitoring; preservation areas; mitigation; and/or limits of operation.

37 (8) **Preservation.** The use shall conform with all preservation, and vegetation
38 removal requirements of the Palm Beach County ULDC for the underlying
39 permitted use, and shall conform with the provisions of Sec. 9.5 (Vegetation
40 Protection), Sec. 9.4 (Wetlands Protection) of this Code. A minimum setback
41 (buffer) of one hundred (100) feet shall surround all designated wetland areas.

42 (95) **Spraying.** No aerial application of any pesticides, fungicides, fertilizers or any
43 other chemical shall be allowed. ~~In the event that~~ When overspraying of pesticides,
44 fungicides, fertilizers, herbicides or any other chemical is experienced, the
45 petitioner shall provide an increased buffer to insure that no further overspraying
46 will occur, or will cease to operate.

47 (10) **Notification.** Notification of the existence of the agricultural operation shall be
48 submitted to the South Florida Water Management District.

49 h:i. **Outdoor bulk storage.** Outdoor bulk storage of mulch, rock, soil or similar
50 material shall comply with the outdoor storage standards contained in Sec. 6.6.A.3.
51 Outdoor bulk storage in residential zoning districts shall be setback a minimum of
52 fifty (50) feet or the district setback, whichever is greater.

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i. j. **AGR-district Agricultural Reserve Tier.** In the Agricultural Reserve Tier, a retail nursery may be permitted as an accessory use to a wholesale nursery.

2

90. **Stable, commercial equestrian type two** means a commercial an establishment for boarding, breeding, training or raising of horses not necessarily owned by the owners or operators of the establishment, rental of horses for riding, or other equestrian activities, excluding uses classified as equestrian arena. A commercial type two stable use may be operated in conjunction with a residence and shall comply with the Animal Care and Control Regulations pursuant to Ord. 89-2 98-2 as amended, as well as the following supplementary use standards:

- a. **Limitations of use.** Commercial Type two stables shall be limited to the raising, breeding, training, boarding, and grooming of horses, or rental (livery) of horses for riding.
- b. **Minimum lot size.** The minimum lot size shall be three (3) acres in the CRE district and five (5) acres in all other permitted districts.
- c. **Frontage.** The minimum required frontage on a public road street to be used from the primary point of access shall be one hundred (100) feet or the minimum standard of the district in which the commercial stable is located, whichever is greater.
- d. **Setbacks.** No structure or stable shall be located within twenty-five (25) feet of any property line, or the minimum setback standard of the district in which the commercial stable is located, whichever is greater.

91. **Stable, private equestrian type one** means the care of horses owned by the occupants or owners of the premises. A **private type one** stable use shall comply with the Animal Care and Control Regulations pursuant to Ord. 89-2 98-2, as amended as well as the following supplementary use standards.

- a. **Limitations of use.** A private type one stable shall be limited to the boarding, breeding, training or raising of horses owned by the occupants or owners of the premises.
- b. **Boarding.** On sites of at least two (2) acres, boarding for up to four (4) horses not owned by the owner or occupant of the premises shall be permitted.
- c. **Setbacks.**
 - (1) **Accessory structure.** Private A type one stables with twelve stalls or fewer, located on a parcel with a single family residence, shall be considered an accessory structure and shall meet the setback requirements for an accessory structure, or twenty-five (25) feet, whichever is greater.
 - (2) **Principal structure.** A private type one stable with more than twelve stalls located on a parcel with a single family residence, or a private type one stable on a vacant parcel, shall be considered a principal structure and shall meet the applicable setback requirements for a principal structure.

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1
2
SUBPART 5, Section 6.8., Planned Development District Regulations, Table 6.8-2, is
3
4
5
amended to add and delete language as follows:

3
4
5
TABLE 6.8-2
PLANNED DEVELOPMENT DISTRICT
USE REGULATIONS SCHEDULE

6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43	Planned Development Zoning District																											7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 NOTE						
	PUD					TND					MXPD					MUPD					PIP D			R E C S V M /P	R C S V O R /P	R I H O R C K T	C L H O	R L O	C H R	C I N D S L T	M H P D	R V P D	S W P D	
	PODS			Use Zone		Land Use Category			Land Use Category			Use Zone																						
	R	R	C	C	A	R	C	S	W	S	C	C	C	C	R	C	C	C	C	C	I	I	IN	C	I	M	R	S						
Commercial uses																																		
Adult entertainment																														2				
Auction, enclosed			R				P	P	P												P	P								13				
Auction, outdoor								R													R	R	R	P	P	P				13				
Automotive paint or body shop			R					R													R	R	R	P	P	P				14				
Automotive service station			R					R		R	R	R				R	R	R	R	R	R	R	P	P	P					15				
Bed and Breakfast	D	D	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	16						
Broadcasting studio		R		R		P	R	R	R	R	R	R	R	R	R	R	R	P	P	P	P	P	P	P	P	P	P							
Building supplies		R		P	P			R										R						P										
Car wash and auto detailing		R			P			R									R	P	R	P	P	P	P	P	P	P	P	P	P	18				
Communication cell sites on wheels (COWs)								S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	22.2					
Contractor's storage yard																									P	P	P	P	P	25				
Convenience store		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	26						
Convenience store with gas sales		R							R				R			R	R	R	R	R	R	R	R	R	R	R	R	R	27					
Day labor employment service																		R	R	R	R	R	R	R	R	R	R	R	R	29				
Dispatching office						P	P			R			R			R		R	R	R	R	R	R	R	R	R	R	R	30					
Dog day-care			R						R			R			R		R		R		R		R	P	R				30.1					
Financial institution		P		P	P	R	R	P	P	R	R	P	P	P	P	R	R	P	P	P	P	P	P	P	P	P	P	38						
Flea market, enclosed					P			P			R		R			R		R		R		R		P						40				
Flea market, open										R			R			R		R		R		R		R		R				41				
Fruit and vegetable market			P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	42						

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Use Type	Planned Development Zoning District																				NOTE	
	PUD					TND					MXPD					MUPD						
	PODS					Use Zone					Land Use Category					Land Use Category						
	R	R	C	C	A	R	C	S	W	S	C	C	C	C	R	C	C	C	C	I	IN	
	E	E	I	O	G	E	I	H	O	E	L	L	H	H	L	O	L	H	R	N	D	
	C	S	V	M	R/P	S	V	O	R	C	O	L	O	H	O	D	S	T	I	N	D	
1	Funeral home or crematory					R			R		R	R	R	R	R	P						43
2	Gas and fuel, wholesale					R										R		P				
3	Hotel, motel, SRO, Boarding & Rooming House		R		R	P		R	R			R	R	R		P						51
4	<u>Landscape installation service</u>		R		P	P			R	R			R	P	P	P	P	P	P	P		55.1
5	Landscape maintenance service		R		P	P		R	R		R	R	R	R	R	P	P	P	P	P		55
6	Laundry services		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		56
7	Lounge, cocktail		R		R	P	R	R	P	R	P	P	P	P	P	P	P	P	P	P		57
8	Medical office or dental clinic		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		60
9	Medical or dental laboratory					P					P	P	R	P	P	P	P	P	P	P		
10	Monument sales, retail		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
11	Office, business or professional		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		68
12	Parking garage, commercial		R		P								R	R	R		P					71
13	Parking lot, commercial		R		P								R	R	P							71
14	Personal services		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		72
15	Printing and copying services		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
16	Repair and maintenance, general		R		P								R	P	P	P	P	P	P	P	P	77
17	Repair services, limited		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		78
18	Restaurant, fast food		R					R	R			R	R	R	R	R	R	R	R	R		79
19	Restaurant, high turnover, sit down		D		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D		81.1
20	Restaurant, quality		P		P	P	R	P	P	P	R	P	P	P	P	P	P	P	P	P		80
21	Restaurant, specialty	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		81
22	Retail sales, general		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		82

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Use Type	Planned Development Zoning District																								NOTE		
	PUD					TND				MXPD				MUPD						PIPD			M R S H V W P P D D /G	D O N L M D P D D			
	PODS					Use Zone				Land Use Category				Land Use Category						Use Zone							
	R E C S /P	R E I S V	C O V M	C G R/P	A G R/C T	R E S /P P	C I V O R P	S H O R C K	W O C O	S E H H H	C L L O	C C H H	C L L O	C C H H	C C R N D S T	I I N N D S T	I I N N D S T	IN D/ L M D	C I L M D /G	I I H P D	M H V P D	R P D	S W P D				
	R E C S /P	R E I S V	C O V M	C G R/P	A G R/C T	R E S /P P	C I V O R C K	S H O R C T	W O C O	S E H H H	C L L O	C C H H	C L L O	C C H H	C C R N D S T	I I N N D S T	I I N N D S T	IN D/ L M D /G	C I L M D /G	I I H P D	M H V P D	R P D	S W P D				
1	Retail sales, Mobile, temporary or transient			S			S	S	S	S	S	S	S	S	S	S	S	S	S						83		
2	Self-service storage							P						R	R	P	P	R	P							87	
3	Theater, drive-in							R						R	R		R			R						94	
4	Theater, indoor			R				R		R		R		R	P		R										
5	Towing service and storage							R								P		P									
6	Vehicle inspection center			R				R		R		R		R	R	P	R	P	P							96.1	
7	Vehicle sales and rental			R				R		R		R		R	R		R			R						97	
8	Veterinary clinic			R	R		R	P	R	R	R	R	R	R	P	P			P						98		
9	Vocational school *not permitted in the AGR-PUD			R				P	R	R	R	R	R	R	P	P	P	D	P						99		
10	Wholesaling, general							P								P		P	P								102
11																											
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TABLE 6.8-2
PLANNED DEVELOPMENT DISTRICT
USE REGULATIONS SCHEDULE

Use Type	Planned Development Zoning District																								NOTE			
	PUD				TND				MXPD				MUPD				PIPД		R	S	W	P						
	PODS				Use Zone				Land Use Category				Land Use Category				Use Zone											
	R E C	R E S	C I V/ P	C O M/ P	A G R/ P	R E S	C I V/ P	S W O R P	S E O R K	C L L O	C L H O	C C H	C C H	C C R	I N D S T	I C L N D S T	M H P D /G	M H P D	R V P D	S W P D								
Agricultural uses																												
Agricultural stand			S			P	P		P	P	P		P		P	P	P	P							4.1			
Agriculture, bona fide				P																						6		
Agricultural research/development																		P	P	P						3		
Agricultural sales and service					P	P										P		P								4		
Agricultural transshipment						P										P		P	P							5		
Aviculture			P																								15.1	
Equestrian arena, commercial		R		R												P											34	
Groves/row crops			P																								47.1	
Kennel, commercial		R				P		R								R		P									53	
Kennel, private	P																											54
Livestock raising			P																									56.1
Nursery, retail		P	P			P	P	P	P	P	P	P	P	P	P		P									66		
Nursery, wholesale			P				P								P			P	P								66.1	
Shadehouse; accessory			P																									87.1
Stable, commercial equestrian type two			P												P		P											90
Stable, private equestrian type one	P		P	P																								91
Storage, indoor agricultural			P																									92.1
Sugar mill or refinery																			P									93

1 SUBPART 6, Section 7.2., Off-Street Parking and Loading is amended to add and
2 delete language as follows:
3

4 A. Purpose and intent. ...
5 B. Applicability.
6 1. New buildings and uses. ...
7 2. Additions, enlargements and changes of occupancy. ...
8 3. Off-street parking and loading standards.

9
10 **TABLE 7.2-1**
11 **MINIMUM OFF-STREET PARKING AND LOADING STANDARDS**
12
13

14 Use Type	15 Parking Regulations	16 Loading
17 Agricultural	18	19
20 Agricultural use, accessory	21 5 spaces or 1 space per employee, whichever is greater	22 N/A
23 Nursery, retail	24 1 space per 500 sq. ft. of <u>indoor or covered</u> retail and office area plus 1 space per 4 acres if the nursery is 20 acres or less, or 1 space per 5 acres if the nursery is greater than 20 acres^{3,4}	25 B
26 Nursery, wholesale	27 1 space per 20,000 sq. ft. of nursery area 4 acres if the nursery is 20 acres or less, or 1 space per 5 acres if the nursery is greater than 20 acres^{3,4}	28 B

29 **Notes for Table 7.2-1**
30
31

32 ...
33 3 **Nurseries requiring fewer than twenty (20) parking spaces may construct surface parking lots with shellrock or other similar materials subject to Sec. 7.2.C.13.b.(4)(a) or grassed subject to Sec. 7.2.C.11, except for the required handicapped parking space(s).**
34 4 **Nurseries requiring twenty (20) or more parking spaces may construct surface parking lots with fifty percent (50%) of the required spaces as shellrock or other similar materials subject to Sec. 7.2.C.13.b.(4)(a) or grassed subject to Sec. 7.2.C.11. ...**

35 **SUBPART 7, Section 7.3., Landscape and Buffering, is amended to add and delete
36 language as follows:**

37 A. Purpose and intent. ...
38 B. Applicability. ...
39 C. Exemptions. The following development shall be exempt from the standards of this
40 section:
41 1. enlargement or repair of a single-family dwelling unit, two-unit townhouse, or two-unit
42 multi-family structure on a single lot;
43 2. Parking areas located entirely within a structure, except as otherwise required by this
44 code.
45 3. bona fide agriculture agricultural production activities, except as otherwise required by
46 this code; ...

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53 or stricken (if deleted).

1 **D. Types of plans.** All landscaping required by this section or other sections of this Code
2 shall require submittal and approval of the following, as applicable.

3 1. **Landscape plan.** Prior to the issuance of a building permit or paving permit, a
4 landscape plan which has either been prepared by and bears the seal of a landscape
5 architect, architect or engineer authorized by Chapter 481, Fla. Stat., shall be
6 submitted to the Building Division in a form established by the Zoning Director and
7 made available to the public.

8 2. **Planting plan.** A planting planting plan, which does not require a professional seal,
9 shall be required for each individual lot for all single family, two-unit townhouse, or two
10 unit multi-family residences or bona fide agriculture. A planting plan shall, at a
11 minimum, consist of a plan indicating the number, location and species of required
12 trees. Prior to the issuance of a building permit or paving permit for a single-family or
13 two-unit townhouse of two-unit multi-family residence, the planting plan shall be
14 approved by the PZ&B. ...

15 SUBPART 8, Section 6.4.D., Zoning Districts, is amended to add and delete language
16 as follows:

17 47. **Groom's quarters** means on-site living quarters for persons responsible for
18 grooming and caring for horses boarded at the stable. Occupancy of the groom's
19 quarters shall be limited to on-site employees and members of the employees' family
20 only. Groom's quarters may be permitted as an accessory use for stables with more
21 than four or more stalls only, subject to compliance Sec. 5.5 (Special Use
22 Permits) and the following: A groom's quarters use shall comply with the following
23 supplementary standards.

24 a. **Number of units groom's quarters permitted.**
25 (1) Twenty (20) acres or less: One (1) groom's quarters shall be permitted
26 for each four (4) horse stalls of a stable.
27 (2) More than twenty (20) acres: One (1) groom's quarters shall be
28 permitted for each three (3) horse stalls.

29 b. **Size Floor Area.**
30 (1) Each groom's quarters shall not exceed five hundred (500) square feet
31 in of gross floor area per unit. (6.4.D.47.a)
32 (2) Twenty (20) acres or less: Maximum total floor area for all groom's
33 quarters. The total gross floor area for all groom's quarters shall not
34 exceed five thousand (5,000) square feet per lot. (6.4.D.47.a)

35 c. **Number of bedrooms.** Groom's quarters shall contain a maximum of one (1)
36 bedroom.

37 d. **Approval Process. The approval process shall be as follows:**
38 (1) Special Permit. One (1) groom's quarters.
39 (2) DRC. Two (2) through twenty (20) groom's quarters.
40 (3) Class B Conditional Use. Twenty-one (21) through one hundred (100)
41 groom's quarters.
42 (4) Class A Conditional Use. One hundred one (101) or more groom's
43 quarters.

44 e. **Agricultural Reserve Tier.** For parcels in the Agricultural Reserve Tier with
45 more than twenty (20) groom's quarters, or more than twenty (20) groom's
46 quarters on the preserve area of an AGR-PUD, the allowable density shall be
47 decreased by one unit for each groom's quarter to a maximum reduction of
48 one-half of the number of dwelling units associated with the property.

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55 or stricken (if deleted).

- b. f.** **Facilities.** Groom's quarters may contain individual cooking facilities and/or one (1) common dining facility.
- c. g.** **Kitchen removal.** An agreement to remove all kitchen equipment shall be executed prior to approval of for the groom's quarters prior to the issuance of the Special Permit. The agreement shall require the kitchen to be removed if the unit ceases to operate as a groom's quarters.
- h.** **Restrictive covenant.** A restrictive covenant, in a form and content acceptable to the County Attorney, limiting the use of the units to groom's quarters in accordance with the standards of Section 6.4.D. 47 shall be recorded in the public records of Palm Beach County prior to special permit or DRC approval, whichever is applicable.

SUBPART 9, Section 3.2, Definitions, is amended to add and delete language as follows:

Dwelling unit means one or more rooms designed, occupied or intended for occupancy as separate living quarters with only one (1) kitchen plus sleeping and sanitary facilities provided within the unit, for the exclusive use of a single family maintaining a household. Specialized residences, such as accessory apartments for the elderly or handicapped, congregate living facility quarters, groom's quarters, farm worker quarters, or migrant labor quarters shall not be considered "dwelling units" for the purpose of applying restriction on density contained in the Palm Beach County Comprehensive Plan or this Code unless otherwise stated in the Plan or the Code.

PART 2. CAPTIONS: The captions, section headings, and section designations used in this ordinance are intended for the convenience of users only and shall have no effect in the interpretation of the provisions of this ordinance.

PART 3. REPEAL OF LAWS IN CONFLICT: All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of any conflict.

PART 4. SEVERABILITY: If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

PART 5. INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE: The provision of this ordinance shall become and be made a part of the Unified Land Development Code of Palm Beach County, Florida. The Sections of the ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

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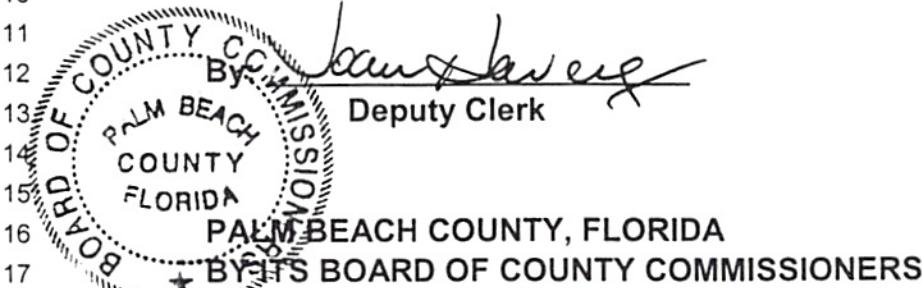
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1
2 **PART 6. EFFECTIVE DATE:** The provisions of this ordinance shall become effective upon filing
3 with the Department of State.

4 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach
5 County, on the 27 day of August, 2001.

6
7 **ATTEST:**
8 **DOROTHY H. WILKEN, Clerk**



20 **APPROVED AS TO FORM AND**
21 **LEGAL SUFFICIENCY**

22 By: Leonard B. Jr.
23 County Attorney

24
25 **EFFECTIVE DATE:** Filed with the Department of State on the 6th day of
26 September, 2001.

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37 U:\ZONING\CODEREV\01-1\Ordinances\Ag Ordinance\Adopt 827\Ord 01-.wpd

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on August 27, 2001.
DATED at West Palm Beach, FL on 9/20/01.
DOROTHY H. WILKEN, Clerk
By: Wylene Brown D.C.

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